

MINUTES
FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT
6:00 P.M., THURSDAY EVENING, AUGUST 12, 2010, CITY COUNCIL CHAMBERS
#2 CIVIC CENTER PLAZA – 2ND FLOOR

All matters listed under the Consent Agenda below will be considered by the Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Commission or persons in the audience request specific items be removed from the Consent agenda to the Regular Agenda for discussion prior to the time the Commission votes on the motion to adopt the Consent Agenda.

MEMBERS PRESENT: Boureslan, Ali – Chair
 Chacon, Fernando
 Gezelius, Kenneth
 Karlsruher, Eileen
 Turner, Marcia
 Viescas, Cora

MEMBERS ABSENT: Pleters, Michael
 Ramirez, Terry

The meeting convened at 6:00 p.m. with five Commissioners present and Chair Boureslan presiding. Chair Boureslan asked CSC Secretary Linda Thomas if there were any changes to Agenda. Ms. Thomas stated there were no additions, corrections, or deletions. Chair Boureslan requested for Item 2C to be moved to the Regular Agenda. Mr. Joe Acosta, President EPMEA requested that Item 2.5 be moved to Regular Agenda and also for Item 8 to be moved before Item 6.

CONSENT AGENDA

1. Discussion and Action on Approval of Minutes:

June 10, 2010

2. Discussion and Action on Recommendation of Classification Actions to City Council:

<u>Title</u>	<u>Code</u>	<u>Grade</u>
A. Proposed: Art Museum Senior Curator	15235	PM 127
B. Proposed: Latent Print Examiner Supervisor	19455	PM 126
C. Proposed: Pavement Coordinator	17627	PM 126
D. Proposed:		
Animal Training and Enrichment Coordinator	16600	GS 53
Aquatics Systems Manager	16480	GS 53
Associate Zoo Veterinarian	16515	PM 133
Zoo Registrar	16610	GS 53

E. Proposed:

Solid Waste Operations Coordinator	17738	PM 121
Code Field Operations Supervisor	17305	GS 57
Lead Solid Waste Truck Driver	17825	GS 49
Senior Code Compliance Inspector	17315	GS 53
Training & Public Programs Manager	11700	PM 132

MOTION TO MOVE ITEM 2C TO REGULAR AGENDA MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER VIESCAS AND UNANIMOUSLY PASSED.

Discussion by Chair Boureslan, HR Manager Peter Fargo, Commissioners Gezelius, Chacon, and Karlsruher.

MOTION TO APPROVE ITEM 2C WITH MINIMUM QUALIFICATION CHANGES MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER VIESCAS AND UNANIMOUSLY PASSED.

2.5 Discussion and Action on Allocation of Positions to Job Classes in Accordance with Ordinance 8064, Classification and Compensation, Section 2.2.

MOTION TO MOVE ITEM 2.5 TO REGULAR AGENDA MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER VIESCAS AND UNANIMOUSLY PASSED.

Discussion by EPMEA President Joe Acosta, City Manager Joyce Wilson, Chair Boureslan, Commissioners Gezelius, Chacon, Member EPMEA David Ochoa. Further discussion by City Manager Joyce Wilson, EPMEA Luis Sandoval, Assistant City Attorney John Batoon, and Commissioner Chacon.

MOTION TO APPROVE ITEM 2.5 MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, GEZELIUS, KARLSRUHER, VIESCAS

NAYES: CHACON

3. Notation Assignment of Hearing Officers to the following Appeals:

- A. Alberto A. Flores – Water Department – Termination – Patricia Palafox
- B. Jaime Huerta – Insurance & Benefits – Termination – William Ellis

4. Notation Appeal Withdrawn:

Roberto Morales – Environmental Services – Termination – William Ellis

MOTION TO APPROVE MINUTES MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

MOTION TO APPROVE CONSENT AGENDA WITH CHANGES MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

REGULAR AGENDA

5. Discussion and Action on Approval of Hearing Officer's Report and Recommendation:

A. Carlos Barrera, Jr. – Termination – Parks & Recreation Department

Discussion by Appellant Carlos Barrera, Jr. and Chair Boureslan.

MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT THE TERMINATION NOT BE SUSTAINED MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER VIESCAS AND UNANIMOUSLY PASSED.

B. Arturo Padilla – Termination – Streets Department

Discussion by Appellant's Representative David Guzman, Chair Boureslan, Assistant City Attorney John Batoon, Assistant City Attorney Audrey Hare, and Commissioner Chacon.

MOTION TO APPROVE HEARING OFFICER'S RECOMMENDATION THAT THE APPEAL FROM TERMINATION BE DENIED AND THE DETERMINATION OF THE DEPARTMENT HEAD AFFIRMED IN ALL RESPECTS MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER VIESCAS AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, GEZELIUS, KARLSRUHER, VIESCAS

NAYES: CHACON

6. Discussion Regarding the City Of El Paso Professional Appearance Standards.

Discussion by Assistant City Attorney John Batoon, Commissioner Chacon, Chair Boureslan, President EPMEA Joe Acosta. Further discussion by Commissioners Chacon, Gezelius.

MOTION TO DELETE ITEM 6 MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER VIESCAS AND PASSED WITH COMMISSIONER CHACON ABSTAINING.

7. Discussion and Action Regarding Formal Counseling Procedures under Rule 15, Section 8 CSC Rules and Regulations.

Discussion by EPMEA David Ochoa, EPMEA President Joe Acosta, HR Director Linda Thomas, Commissioners Turner, Chacon, City Manager Joyce Wilson, Chair Boureslan, and Jaime Arellano, Jr.

MOTION TO AMEND RULE 15, SECTION 8 FORMAL COUNSELING THAT AFTER A PERIOD OF TWENTY FOUR MONTHS ANY WRITTEN REPRIMANDS AND FORMAL COUNSELING NOTES IN THE EMPLOYEE'S RECORDS SHOULD EXPIRE AUTOMATICALLY IF NO OTHER INFRACTIONS OCCUR WITHIN THAT PERIOD MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

8. Discussion and Action Regarding Procedure for Placing Items on the Civil Service Commission Agenda.

Discussion by EPMEA President Joe Acosta, City Attorney John Batoon, Commissioners Viescas, Chacon, Gezelius, Karlsruher, EPMEA Member Norma Ledesma, Sun Metro Lift Driver Jesus Bustamante, Sun Metro Retiree Jaime Arellano, Jr.

MOTION THAT ANY ITEM THAT HAS BEEN SUBMITTED TO BE PLACE ON AGENDA THAT HAS BEEN DENIED OR DELAYED TO BE FORWARDED TO ALL COMMISSIONERS IMMEDIATELY MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

9. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.d.1:

A. Cordero, Elisabeth – Recreation Specialist

Discussion by Appellant Elisabeth Cordero, HR Manager Peter Fargo, and Commissioner Chacon.

MOTION TO DENY MADE BY COMMISSIONER VIESCAS AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY A VOTE OF 3 TO 2.

AYES: GEZELIUS, KARLSRUHER, VIESCAS
NAYES: TURNER, CHACON

B. Gutierrez, Ramon – Recreation Specialist

Discussion by Appellant Ramon Gutierrez and HR Manager Peter Fargo.

MOTION TO APPROVE MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER TURNER MOTION FAILS BY A VOTE OF 2 TO 3.

AYES: TURNER, CHACON
NAYES: GEZELIUS, KARLSRUHER, VIESCAS

MOTION TO DENY MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER VIESCAS AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, GEZELIUS, KARLSRUHER, VIESCAS
NAYES: CHACON

C. Gutierrez, Ramon – Recreation Program Supervisor

Discussion by Appellant Ramon Gutierrez, HR Manager Peter Fargo, Assistant City Attorney John Batoon, Commissioner Karlsruher, Chair Boureslan, and HR Director Linda Thomas.

MOTION TO DENY MADE BY COMMISSIONER KARLSRUHER AND SECONDED BY COMMISSIONER GEZELIUS AND PASSED WITH COMMISSIONER CHACON ABSTAINING.

D. Aguilar, Eddy – Recreation Program Supervisor

Discussion by Appellant Eddy Aguilar and Chair Boureslan.

MOTION TO DENY MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER KARLSRUHER AND UNANIMOUSLY PASSED.

E. Mendez, Alejandro – Recreation Program Supervisor

Discussion by Appellant Alejandro Mendez, Commissioner Karlsruher, HR Manager Peter Fargo, and Chair Boureslan.

MOTION TO APPROVE MADE BY COMMISSIONER CHACON AND SECONDED BY COMMISSIONER GEZELIUS AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, GEZELIUS, CHACON, VIESCAS
NAYES: KARLSRUHER

MOTION TO MOVE TO EXECUTIVE SESSION MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

Executive session convened at 8:30 p.m.

The Civil Service Commission may retire into Executive Session pursuant to Civil Service Commission Rule 1, Section 11(a) and the Texas Government Code, Section 551, Subchapter D to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Commission may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.). The Commission will return to open session to take any final action.

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.074 PERSONNEL MATTERS

MOTION TO RECONVENE TO OPEN SESSION MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER TURNER AND UNANIMOUSLY PASSED.

Reconvened to open session 8:48 p.m.

10. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.d.2:

A. Campos, Carlos – Coach Operator Trainee

MOTION TO DENY MADE BY COMMISSIONER TURNER AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

B. Fisk, James C. – Lead Planner

MOTION TO APPROVE MADE BY COMMISSIONER VIESCAS AND SECONDED BY COMMISSIONER KARLSRUHER AND PASSED BY A VOTE OF 4 TO 1.

AYES: TURNER, CHACON, KARLSRUHER, VIESCAS
NAYES: GEZELIUS

11. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with CSC Rule 8.1.f:

A. Campos, Carlos – Coach Operator Trainee

MOTION TO DENY MADE BY COMMISSIONER VIESCAS AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

B. Rivera, Daniel – Coach Operator Trainee

MOTION TO APPROVE MADE BY COMMISSIONER VIESCAS AND SECONDED BY COMMISSIONER GEZELIUS AND UNANIMOUSLY PASSED.

MOTION TO ADJOURN MADE BY COMMISSIONER GEZELIUS AND SECONDED BY COMMISSIONER CHACON AND UNANIMOUSLY PASSED.

MEETING ADJOURNED AT 8:55 P.M.

Ali Bourlesian

Ali Bourlesian, C.S.C. Chair

Linda Ball Thomas

Linda Ball Thomas, C.S.C. Secretary

September 9, 2010

Date Approved